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9 MARK HARRIS,

10 Plaintiff,

No. C 08-01810 JSW

11 v.

12 UNITED PARCEL SERVICE, INC., et al.,

13 Defendants.

14 \_\_\_\_\_ / **ORDER SETTING BRIEFING  
15 SCHEDULE FOR DEFENDANT'S  
16 MOTION TO DISMISS  
17 PLAINTIFF'S THIRD AMENDED  
18 COMPLAINT**

19 This matter is set for a hearing on February 20, 2009 on Defendant's motion to dismiss  
20 Plaintiff's Third Amended Complaint. The Court HEREBY ORDERS that an opposition to the  
21 motion shall be filed by no later than January 26, 2009 and a reply brief shall be filed by no  
22 later than February 2, 2009.

23 If the Court determines that the matter is suitable for resolution without oral argument, it  
24 will so advise the parties in advance of the hearing date. If the parties wish to modify this  
25 schedule, they may submit for the Court's consideration a stipulation and proposed order  
26 demonstrating good cause for any modification requested.

27 **IT IS SO ORDERED.**

28 Dated: January 12, 2009

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE